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AUTHOR Shannon, Thomas A.
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ABSTRACT

Realizing that written policies must serve the board of education's several roles, this report attempts to identify and isolate the factors of effective written policies by analyzing them in terms of their relationship to the nature of the board of education. After considering this relationship, the report concludes that effective written policies should: (1) provide general authority and support for all programs and activities conducted by the school district, (2) establish priorities in the allocation of resources, (3) be brief yet complete, (4) be stable throughout administrative personnel changes, (5) contain a minimum of direct quotations from the law, and (6) have adequate provision for review and amendment. The report also offers seven separate steps for the adoption of an effective written policy and concludes with a discussion of the superintendent's task of devising administrative regulations and procedures to implement written policies. (JF)

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THE EFFECTIVENESS

OF

WRITTEN BOARD POLICIES

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by

Thomas A. Shannon
Attorney, San Diego City Schools
San Diego, California

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In the United States, school districts generally are governed by school boards which derive their authority to govern from state constitutions, state legislatures, and state departments of education. Education characteristically has been considered one of the primary responsibilities of the state. While the state legislatures have plenary power over education, either through state constitutional requirements or the inherent powers of the state legislatures, they share the power to govern school districts with state departments of education and local school boards.

In meeting its responsibility for that portion of education over which it has jurisdiction, a school board cannot govern effectively without some form of written guidelines. The United States Department of Education listed in 1959 no less than twelve significant reasons why school boards should govern school districts with the aid of written policies. These reasons run the gamut from fostering continuity, stability, and consistency of school board action, to keeping the public and school staff informed of the educational philosophy of the school board. These reasons must be persuasive, because most school boards have some kind of written policies. The problem, therefore, is not whether written school board policies are desirable but, rather, how to develop the best set of written policies. In other words, how can we draft the type of written policies which will most efficiently assist in the governing of the school district. An analysis of this goal prompts

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the question:

> Is it possible to isolate and identify the factors that make for effective written school board policies?

To answer this question, it is necessary to consider first the nature of a school board because the fundamental purpose of written policies is to assist the school board in performing its job of ruling the school district.

A school board may be viewed in three different lights:

1. <u>School board as a governmental entity</u>. The school board is a governmental agency established by state constitution or state legislature. It is a limited governmental agency in the sense that it has only those powers specifically granted to it by state law and those powers which are necessary to exercise the specifically granted powers. Generally, the concept of "home rule," which gives a political subdivision of a state the power to do anything which the state has not prohibited, has never been applied to school districts because the state has been unwilling to delegate to the local community the primary responsibility for the development and maintenance of the educational program.

The school board is a governmental entity which is always subject to the superior powers of the state and must govern totally within the bounds set forth by the state. School boards have only this limited autonomy in law because State legislatures look upon education as a matter of state-wide concern requiring a substantial uniformity of approach and financing.

2. School board as a power over a profession. The school board sits as a governing body over members of an honored and learned profession who are carrying out professional duties by educating children. Members of school boards usually are not equipped by special education or state licensing to perform the function of the persons whose employment they govern. Therefore, as a practical matter, the school board shares some of its powers with the professional whom it employs to oversee the other professionals - the superintendent. But, the superintendent's share of the power is in the form of leadership and advice. The actual power of decision rests in the school board and this fact can never be ignored by superintendents. It is a reality which conditions, however subtly, the professional leadership role of the superintendent.

Moreover, the school board sets school district educational standards, teacher salaries, teacher on-the job in-service training and teacher employment standards, to mention only a few areas of school board jurisdiction over teachers. In these respects, the school board has considerable direct power over the teaching profession generally. It is clear that the school board laymen manage in a very practical way the major affairs of the teaching profession.

3. School board as corporate board of directors. The school district obviously derives a considerable portion of its financial revenue from the local community in the form of the school tax. It also is a substantial local employer and injects a great deal of money into the local economy, especially in a period of pupil

population expansion. These facts, in tandem with the illusion many citizens hold that education is not "politics," makes many look upon the school board as the board of directors of a substantial corporation. Even the word "policies" which we use to describe laws passed by the school board has been borrowed whole-cloth from corporate management.

It is important to understand the nature of a school board in order to develop effective school board policies.

As a governmental agency, the state legislature has empowered the school board to issue rules and regulations for the government of the schools which have the full force and effect of law. The courts also scan the rules and regulations of a school district and apply to them the usual tests of validity of any ordinance or statute. In some instances, the state legislature requires school boards to adopt certain rules and regulations. School board policies must conform to the strict standards of specificity, clarity, and proper authorization to enact (to name only a few) which the law imposes on all governmental agencies.

As a governing body of a group of professionals, a school board is under constant pressure to deal only in general terms with the problems of the schools. The accepted theory is that school boards deal only with policy, while the administration, headed by the superintendent who is the ranking staff professional, deals with implementation of the policy. The difference between "policy" and "administration" is significant and we will consider it more fully later.

In the past, the professionals were entirely represented by the ranking professional, the superintendent, in matters affecting the professionals before the school board. Today, as we are all aware, the

professionals are looking more to their associations for representation rather than to the superintendent. The teacher associations increasingly show that the theory, "the school board sets the policy and the superintendent carries it out," is an old cliche' unsuited for today's world. The professionals are demanding a voice in both policy-making and administration. And they are receiving it from state legislatures which approve laws permitting collective bargaining or professional negotiations. This trend will work to force school boards to define with more exactness their role in policy-making, if for no other reason than to guarantee the survival of the American institution of lay control of local education. As school boards delineate their policy function in writing, important policy decisions will not elude the school board's attention and, by default, be made by others not charged with the responsibility under our form of government.

As a board of directors of a large corporation, the school board is under pressure to deal with problems in a direct and autocratic manner. But the school board does not have the relatively unlimited powers of a corporate board of directors. One obvious case in point is the power to discharge or discipline employees. When a school board votes to remove one of its executive officers of the school district "corporation," it is not unusual that the board agonizingly learns that the administrator earmarked for firing has so much staff support that what started out to be a simple dismissal of one person has blossomed into a virtual open revolt or mutiny of an embarrassingly substantial number of the professionals. When this occurs, school boards often find themselves back-pedaling under strong public pressure. Instead of quietly removing an executive officer as private corporations do every day, the school board

can open itself to the hazards of recall election campaigns and the stings of unfavorable publicity about the school district which smart for years.

The development of written policies, then, cannot be done effectively in ignorance of the nature of the board of education. Written policies must serve the several roles of the board of education. As we attempt to identify and isolate the factors of effective school board policies, we shall analyze them in terms of their relationship to the nature of the Board of Education.

But first, let us take a critical look at what policy is. We must have a mutual understanding of the term. To be able to identify and isolate the factors of effective school board policies requires a clear definition. Policies have been defined by the National Industrial Conference Board as:

> " ... written statements of an organization's goals and intent that are stated in broad, long-range terms, and which express or stem from the philosophy or belief of the organization's top authority."

With this general definition in mind, the factors of effective written school board policies are:

1. <u>Effective written school board policies should provide the general authority and support for all programs and activities conducted by the school district</u>. Every official action taken in a school district is taken by authority of the school board. Obviously, it would be a hopelessly impossible task to draft a set of written school board policies which would provide specific, detailed guidelines for everything that could happen in a school district. As we

shall see later, this attempt would also be highly undesirable. But, for our purposes now, it is enough to say that the job simply is not possible.

If we consider, on the one hand, that school boards are responsible for all that occurs officially in the school district, and, on the other hand, that it is impossible for school boards to adopt written policies which cover everything down to its last detail, we can see the form of a dilemma. Fortunately, the solution is clear. School boards must provide <u>general</u> guidance which will serve as the basis for a decision of the administration covering specific situations. In short, a written school board policy cannot be so detailed as to virtually replace the good judgment of administrators on every level - but it definitely should contribute to the framework of reference in which the administrator may exercise his judgment.

Providing <u>general</u> guidance is not enough in <u>all</u> situations, however. There are many instances in which state law requires that the school board adopt rules and regulations which are very detailed and precise. In this situation, the school board, as a governmental entity subordinate to the state legislature, has no choice but to take the required action. This does not mean, however, that the school board must adopt similar detailed policies in all other areas of the government or management of the school district. This would be patently offensive to the professionals and would be inconsistent with the corporate management theory which pontificates that a board of directors hires a good executive and holds him responsible for the success of the enterprise.

2. Effective written school board policies should provide for relative emphasis and allocation of resources and the quality of educational offerings. Any enterprise which does not have absolutely unlimited resources must establish priorities. It is no secret to school board members who have attempted to convince their taxpaying public of the necessity of increasing the school district operating budget or the wisdom of increasing bonded indebtedness, that a school district does not have unlimited financial resources.

A school district is faced each year at budget time with the excruciatingly difficult task of tailoring an educational program to the resources of the school district in a way that would be the envy of a French dressmaker. Without a clear statement of written policies setting forth priorities and limitations, the superintendent must grope in the dark to develop a budget for proposal to the school board.

Absence of these policies unfairly deprives the superintendent of guidelines to be used in the development of a true form-fitting budget. It also transfers the pressures of the employee wage-spiral to him. It confuses the citizens of the school district about the school board's long-range views of the educational program and frustrates the sensible use of the potential of the "corporation."

3. Effective written school board policies should be brief yet complete.

This factor is predicated upon the concept that the school board should provide general guidance and control over the affairs of the school district. The desirability of brevity coupled with thoroughness is so obvious that it speaks for itself and need not be labored further.

4. Effective written school board policies should be stable throughout personnel changes. The written policies should not depend for their validity upon particular persons. The strengths and weaknesses of individual board members and administrators ideally should not be part of the consideration of policy-making. The policies should be directed not at persons but at offices; emphasis should be on function and not on the person who carries out the function. In this way, one of the principle benefits of written policies, that of guaranteeing stability in the face of organizational or personnel changes, will be realized.

As a governmental or corporate entity, a school board has an indefinite life. Its existence should in no way be tied to a particular person or small group of persons present on the scene at a particular point in time.

5. Effective written school board policies should contain a minimum of direct quotations from the law. The repetition of state or Federal law in written board policies is usually unnecessary and often hazardous. It is unnecessary because the law appears in written form elsewhere and the reiteration of it by the school board adds nothing to the original authority from which it speaks. It is often hazardous because the quotation may be out of context and convey an impression different from that intended by the authority which first enacted it. It also can give a false sense of security to administrators who do not go back to the original law. Of course, it can also be very embarrassing when the state legislature changes the quoted law and you don't follow up immediately with a change in the quotation reprinted

in the policy statement. However, there are times when a direct quotation of law in written school board policies provide needed emphasis of a point or clarification of an issue. Only where these purposes can be served should a direct quotation appear.

6. Effective written school board policies should have adequate provision for review and amendment. Policies of the board, no matter how carefully they are drafted, are not immutable. Because they reflect the philosophy of the school board towards local education, they will change as the role and techniques of education change. Therefore, the policies should be reviewed regularly and there must be ease of amendment. It is a sound practice to require that the board policies be brought before the school board for formal review once each year. This could be done at the time when the school board annually reorganizes itself. During the interim period, the superintendent should be charged with the responsibility of insuring that the school board policy manual remains current and up to date at all times.

These are the factors of effective written school board policies. With these in mind, we are now in a position to examine a specific approach to the development of effective written policies. It is not an easy task. As one observer has declared:

> Boards of education should shun certain pitfalls in

establishing policy. Avoid extremes between vagueness on the one side of the spectrum to excessive detail on the other. Vagueness is, in effect, abdicating policy-making responsibilities. Excessive detail, on the other hand, results in excessive control, hamstrings administrators, and causes mediocre or poor performance.*

A sound approach to the adoption of effective written school board policies has seven distinct and separate steps:

1. Appoint a project director. The task of developing good written policies can be enormous. It requires coordination of top administrators and therefore should be assigned to an experienced, articulate member of the administrative staff. If the school board desired, it could employ an outside consultant. This is what cities often do when they wish to recodify municipal ordinances, which are the city counterparts of school board policies.

2. Identify the major areas of concern in a school district. In San Diego, Louis L. Mihalka, Administrative Analyst, and his assistant, Paul Seramur, identified nine major areas of concern in a school district. Regardless of what action the school board could take, it could fit logically into one of the nine. These are:

a. General Administration	e. Personnel
b. Board of Education	f. Instruction
c. Pupils	g. Property
d. Public	h. Finance

The ninth one is a sort of safety valve entitled "Miscellaneous." It's the catch-all category.

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* Written Board and Superintendent Communications--Boon or Boondoggle in Your District? (1964) a paper by Paul L. Seramur, Systems and Procedures Analyst, San Diego City Schools.

3. Compile presently effective school board policies and categorize them. The project director, working with each department or division of the school district, should gather together all of the policies adopted by the school board and categorize them according to the proven nine categories mentioned earlier. This is a very involved task. It has been said that:

> Typical district documents are a hodgepodge of policies, law, rules, regulations, programs, administrative directives, and procedures. To unravel policies from this conglomeration takes real sleuthing and skill. Often it can't be done because the intent of the policy is vague or because of voids and gaps. In such cases, the board should start anew.*

4. Analyze present policies to determine if requirements imposed by state law and the needs of the school district are met. Policies of school boards should consist of:

   a. All policies which by law require adoption by the school board, and,

   b. Other policies adopted by the school board in interpretation of the needs and desires of the community.

5. Revise and rework presently effective school board policies. At this point, the project director has before him all of the existing policies. He has analyzed them and knows their strengths and weaknesses; their voids and redundancies. He is now in a position to sharpen his pencil and begin work on the first draft which, ultimately, will lead to the finished product.

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* See Footnote, Page 11.

Probably the best place to begin is the "Pupils" section. The school district exists solely to serve the pupil. All programs and activities are directly related to the needs of the pupils. Once the "Pupils" section is complete, the remaining sections can be derived directly or indirectly from it and they will fit together like a jig-saw puzzle with good articulation between the various sections.

The pupil section should be headed by a statement of educational philosophy. While the statement should be broad, it must also be practical and feasible. This broad statement should then be broken down into more specific philosophies covering various pupil needs.

Each section should attempt to do two things:*

a. Provide the authority, support, and justification for existing programs and activities, and

b. Provide guidance to develop programs and changes to meet evolving future needs.

6. Analyze the finished product to determine whether they are in accord with the factors of effective written school board policies which were identified and isolated earlier. The school district's attorney should review the draft of the written policies at this stage. After legal and administrative approval of the completed tentative draft, the written policies should be presented to the school board in open public meeting of the board. The written policies should be in loose-leaf form for ease of future amendment. The community has a right to be informed of the proposed adoption of policies since the policies will have a profound effect upon the operation of its school

* Outline of an Approach to the Development of a Board Policy Manual, memorandum by Louis L. Mihalka and Thomas A. Shannon (1965).

district. In some communities, it might be wise to hold a public hearing on the new or revised written policies before the school board adopts them.

7. Adopt the policy manual in open public meeting of the school board. We now have a workable policy manual which expresses the philosophy and aims of the school board. Positive guidelines have been established to aid the superintendent in administering the school district in the way that the school board desires. So the question which now arises is:

Is the job done?

The answer clearly is "No." The superintendent has the task of devising administrative regulations and procedures to implement the guiding policies of the school board as expressed in the school board policy manual. Without a sensible implementation of school board policy, there would be no need to establish written policies in the first place. In other words, school board policy is implemented at the administrative level. If the administration cannot provide a plan of action to implement the policy, the views or philosophy of the school board cannot be translated into action. It has been said that:

> Good policies ... are guidelines that steer the educational ship of state in the right general direction; administrative regulations and procedures provide the force and means which move the ship on its specific and right course. Policies authorize what and why something is to

> be done. They should be in the form of broad principles that define the intent of the board. Administrative regulations and procedures tell how, when, where, and by whom something is done. They must reflect legal and board policy requirements and at the same time describe in specifics how these mandates are to be carried out.*

The administrative regulations and procedures are issued by the authority of the superintendent as part of his efforts to put school board policy into action. They are his specific and detailed directions and standing orders to the staff. The school board does not formally approve administrative regulations and procedures as it does school board policy. However, everything in the administrative regulations and procedures must have a basis in the school board policy manual. The administrative regulations and procedures are keyed to the school board policies; a change in policy by the school board requires a change in the administrative regulations and procedures by the superintendent.

Let us consider a specific example of the inter-relationship of school board policies and administrative regulations and procedures.

Our Board of Education shares the concern of many other metropolitan school boards over the question:

> Does the acceptance of Federal aid also mean the acceptance of Federal control over local education?

The San Diego school district is the second largest school district in the State of California and the eleventh largest in the United States. It serves a vigorous growing city of over 600,000 persons. As does any other

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* See Footnote, Page 11

large urban area, we have a need to bolster the normal educational programs in the disadvantaged areas of our city with compensatory programs. The Board of Education's recognition of this need and its apprehension about Federal control prompted it to create a policy which could be used to determine whether or not the San Diego City Schools would seek Federal support money for any particular educational program. This policy was reduced to writing early last year. It charges the superintendent with the responsibility of seeking Federal funds for the financing of programs in accordance with four basic principles. These are:

I.

> The proposed educational program would be inaugurated if local or State monies were available because it is in harmony with the educational philosophy and meets the basic needs of the San Diego schools.

II.

> The financial participation in the proposed educational program by San Diego or the State of California is fair, equitable, and manageable, both in the present and in the future.

III.

> The Board of Education is guaranteed retention of the direction, supervision, and control over the administration, instruction, curriculum, and personnel of this school district by the proposed educational program.

IV.

> The specific need, purposes, and aims of the proposed educational program have been submitted for consideration by the Board of Education, when and insofar as practicable, at least thirty (30) days prior to the deadline date for making application for the program.

This written policy expresses the philosophy of the Board of Education on Federal aid to education. It advises the public about the Board's attitude on Federal aid and it provides guidelines for the superintendent in proposing or recommending school district participation in federally

supported educational programs. In short, it does what a written school board policy is supposed to do.

But, this written policy does not give any practical assistance to school teachers or administrators who are vitally interested in the answer to such questions as:

1. What are the Federal aid programs in which this district could consider participating?
2. How much money is available and under what circumstances could this district apply?
3. What is the procedure for applying?
4. What forms are used?
5. Who is the district administrator responsible for coordination of Federal aid programs?
6. If the school board approves an application for Federal aid, who is responsible for "bird-dogging" the application through the forest of red tape?

These are just a few of the questions which the board of education's written policy cannot answer. But the board's policy is not supposed to answer these questions. These matters are administrative in nature and are the proper province of the superintendent. The superintendent does have answers for these questions in his administrative regulations and procedures manual. In fact, he has seven pages of answers in the Administrative Regulation and Procedure No. 0300 entitled "Special Educational Projects."

The advantages of maintaining what amounts to two separate manuals are many. The school board, through its policy manual, concerns itself

only with policy and never becomes mired in administrative minutiae. It has time to focus on overriding policy matters which control the destiny of the school district. The superintendent, through his administrative regulations and procedures manual, is better able to direct the administrative efforts of implementing the school board's policy. Since the school board does not formally approve administrative regulations and procedures, the superintendent does not have to consult with the school board when he wishes to change an administrative regulation and procedure because of a myriad of possible reasons, including such things as a change in the underlying law, an administrative decision that experience dictates a change in procedure, to name only two instances. This conserves the precious time of the school board. Additionally, it keeps the focus of the school board on its policy or governing function and reduces a potential source of conflict between the superintendent and the school board.

The success of this double-barrelled approach to written school district policies depends, like any other approach to the preparation of adequate written policies, on two things: 1) a sound administrative organizational plan, and 2) the control by the Superintendent of other forms of communication with the staff, such as bulletins, circulars, memoranda, and handbooks. The soundness of a school district organizational plan is outside the scope of our subject, but the use of other communications by the superintendent is not. If other communications are not limited to "one-time informational communications" or communications to which the recipient need only refer to once, and not repeatedly, the effectiveness of the superintendent's administrative regulations and procedures manual is in jeopardy, and, with it, the entire effort of implementing school board policy.

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